

WASHINGTON STATE CONSERVATION COMMISSION REGULAR MEETING

MINUTES

YAKIMA, WASHINGTON
DECEMBER 1, 2005

The Washington State Conservation Commission (Commission/WSCC) met in regular session at the Yakima Convention Center on December 1, 2005 in Yakima, Washington. Commission Chair Peters called the meeting to order at 1:15 p.m.

SUMMARY OF MOTIONS & ACTION ITEMS

1. *Consent Agenda*

Commission Vice Chair Brown moved to approve the September 15, 2005 Regular Minutes, November 7, 2005 Special Meeting Minutes and travel to the NACD Spring 2006 Legislative Conference for the Commission Chair, Vice Chair and Executive Director. Commissioner Selby seconded. Motion passed.

2. *Nomination of Commission Chair and Vice Chair*

Commissioner Selby moved to accept the nomination recommendation of Lynn Brown as Chair and Bill Boyum as Vice Chair. Commissioner Eriksen seconded. Motion passed.

3. *WACD Newly Elected Conservation Commission Members*

Past WACD President Paul Stoker, was elected as the WACD National Director at the WACD Annual Meeting and his term ended with the Conservation Commission.

Fred Colvin was elected as the WACD President at the WACD 2005 Annual Meeting. His term began December 1, 2005 and will serve for a one year term. Colvin will serve as the WACD representative as a member of the Conservation Commission.

Lynn Brown was reelected to a second three-year term as the WACD Central Washington Region representative on the Commission. His term will end in December of 2008.

4. *Assessment Issues*

Commission Vice Chair Brown moved to table the issue until the January 2006 Commission Meeting. Commissioner Selby seconded. Fred Colvin opposed. Motion passed.

Sharonne O'Shea, Assistant Attorney General will be available at the January 2006 Meeting.

Mr. Clark will continue to support King Conservation District and King County in coming to a mutual agreement on the assessment issues.

5. *WACD District Appointed Positions*

It was determined that the policy should be revised for the 2006 elections, primarily to clarify the Commission's position on eligibility for appointment as a conservation district supervisor.

Commission staff will draft a revised policy for the January 2006 Meeting to address issues with the current policy and provide alternatives.

6. *Phase 2 Livestock Technical Assistance (TA)*

Commissioner Eriksen moved to approve the staff recommendation's formula for the Phase 2 Livestock Technical Assistance. Commissioner Colvin seconded. Motion passed.

The Commission will hold a special meeting in December to look at the data to determine distribution.

7. *Livestock Cost Share Maximums*

Commission Vice Chair Brown moved to raise the cost share amount to \$25,000 per facility with a maximum of \$75,000 per landowner retroactive to the September 15, 2005 Commission authorization of Cost Share. Commissioner Colvin seconded.

A friendly amendment revised the maximum per landowner to \$25,000 per facility with a maximum of \$50,000 per landowner. Motion passed.

The Commission staff will research the federal Concentrated Animal Feeding Operations (CAFO) rules and use as guidance in defining 'facility'.

8. *DRAFT CAFO NPDES and State Waste Discharge General Permit*

Commission Vice Chair Brown moved to provide public comment to the Department of Ecology on the Draft CAFO NPDES and State Waste Discharge General Permit. Commissioner Bahrych seconded. Commissioner Selby abstained. Motion passed.

9. *25 by 25 Ag Role*

Commissioner Bahrych moved to support and endorse 25 by 25, Agriculture's Role in Ensuring U.S. Energy Independence. Commissioner Selby seconded. Motion passed.

ATTENDEES

Commission Members

Jim Peters, Chair
Lynn Brown, Vice Chair
Bill Boyum, Member, DNR
Lynn Bahrych, Member
Tracy Eriksen, Member
Fred Colvin, Member, WACD
Melodie Selby, Member, ECY

Commission Staff

Mark Clark, Executive Director
Mary Anderson, Executive Assistant
Stu Trefry, Regional Manager
Cheryl Witt, Grants Program Manager
Tom Salzer, Regional Manager
Butch Ogden, Regional Manager
Bill Broughton, Regional Manager
Ray Ledgerwood, Program Coordinator

Guests

Dave Brown, NRCS
Gus Hughbanks, NRCS
John Larson, WACD Executive Director

Rod Hamilton, FSA
George Boggs, WADE

ADDITIONS/CORRECTIONS TO AGENDA

Chair Peters opened discussion for additions or changes to the preliminary agenda.

Mark Clark, Executive Director, noted that Livestock items and Jack Field of the Washington Cattlemen's Association will be moved to an earlier time on the agenda.

Commissioner Bahrych requested additional time to discuss d public comments regarding CAFO NPDES and State Waste Discharge General Permit.

INTRODUCTIONS & MEMBER/PARTNERSHIP REPORTS

Gus Hughbanks, Natural Resources Conservation Service (NRCS)

Introduction of New Programs Assistant – Dave Brown.

Retirement Budget – There are a number of retirement eligible employees in the office within the next five years. This will create new opportunities for others within the agency to promote.

Rod Hamilton, Farm Service Agency (FSA)

CRP Extensions – The majority will expire within a year.

Commissioner Bahrych, Washington Environmental Council

GMA – The environmental community will defend GMA against residential sprawl. Preservation of resource lands from development conversions are a concern. Some legislation will be brought forward in the next legislative session.

Award – The Commission was awarded a plaque for appreciation in their hard work and efforts and providing emergency money for the School Fire.

PUBLIC COMMENTS

No comments were given.

APPROVAL OF THE CONSENT AGENDA

Commission Vice Chair Brown moved to approve the September 15, 2005 Regular Minutes, November 7, 2005 Special Meeting Minutes and travel to the NACD Spring 2006 Legislative Conference for the Commission Chair, Vice Chair and Executive Director. Commissioner Selby seconded. Motion passed.

NOMINATION OF COMMISSION CHAIR AND VICE CHAIR

The Nominating Committee recommended Commissioner Lynn Brown as Chair and Commissioner Bill Boyum as Vice Chair.

Commissioner Selby moved to accept the nomination recommendation of Lynn Brown as Chair and Bill Boyum as Vice Chair. Commissioner Eriksen seconded. Motion passed.

**WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS (WACD)
NEWLY ELECTED CONSERVATION COMMISSION MEMBERS**

Past WACD President Paul Stoker, was elected as the WACD National Director at the WACD Annual Meeting and his term ended with the Conservation Commission.

Fred Colvin was elected as the WACD President at the WACD 2005 Annual Meeting. His term began December 1, 2005 and will serve for a one year term. Colvin will serve as the WACD representative as a member of the Conservation Commission.

Lynn Brown was reelected to a second three-year term as the WACD Central Washington Region representative on the Commission. His term will end in December of 2008.

LEGAL BUSINESS

Assessment Issues

Mark Clark, Executive Director gave an update on the assessment issues with King Conservation District. Clark reports that after discussing the situation with Commission Chair Peters, Vice Chair Brown, and Sharonne O'Shea, Assistant Attorney General, a request was made to the Attorney General's Office from the Commission for a formal opinion on issues relating to special assessments in November. That request was later withdrawn for a period of time so that the King County Council and King Conservation District could come to a mutual agreement.

A discussion was held and it was determined that more discussion was needed with our Assistant Attorney General at the January 2006 Commission Meeting.

Commission Vice Chair Brown moved to table the issue until the January 2006 Commission Meeting. Commissioner Selby seconded. Fred Colvin opposed. Motion passed.

Mr. Clark will continue to provide support to the King Conservation District and King County as they work toward a mutual agreement on the assessment issues.

WACD District Appointed Positions Update

Tom Salzer, Regional Manager, presented the update. The Washington Association of Conservation Districts (WACD) District Operations Committee continues to work on the Draft District Appointed Procedures. The group's proposed timeline is approval by the Commission in May 2006 so the revised procedures would be available for the 2007 election/appointment cycle.

A discussion followed on the current procedures and whether the policy should be revised for the 2006 elections.

It was determined that the policy should be revised for the 2006 elections, primarily to clarify the Commission's position on eligibility for appointment as a conservation district supervisor. Commission staff will draft a revised policy for the January 2006 Meeting to address issues with the current policy and provide alternatives.

WSCC GRANTS PROGRAM

Phase 2 Livestock Technical Assistance (TA)

Cheryl Witt, Grants Program Manager presented the staff recommendation for the distribution of Phase 2 Livestock TA funding.

Phase 2 Livestock TA funds will also be distributed through an application process. Based on the outcome of the needs assessment conducted by a district in Phase 1, they may be eligible to apply for and receive both a \$5,000 Base Allocation and a Needs Assessment Allocation. Needs Assessment Allocations will be made based on four priorities and their respective calculations that incorporate the technical assistance, mileage and overhead needed to address the needs identified in Phase 1. Phase 1 Livestock contracts will be amended to reflect Phase 2 Base and Needs Assessment Allocation awards.

Commissioner Eriksen moved to approve the staff recommendation's formula for the Phase 2 Livestock Technical Assistance. Commissioner Colvin seconded. Motion passed.

A discussion was held.

The Commission will hold a special meeting in December to look at the funding distribution amounts that result after the authorized methodology has been applied to all applications.

Livestock Cost Share Maximums Comments

Jack Field, Executive Vice President, Washington Cattlemen's Association

Mr. Field noted that he discussed the livestock cost share maximums with Jay Gordon of the Dairy Federation. Both agreed that they have the same concerns with the maximum amounts.

Mr. Field proposed that the Commission allow cost share maximum be increased to \$20,000 per operation.

A discussion was held regarding eligibility, availability, and the need to use the money on the ground. It was noted that the WACD Livestock Committee met prior to the Commission meeting and thought that the maximum should be raised to \$25,000. Mr. Field suggested that possible exceptions for extreme cases above and beyond the individual cap could be considered as well.

Commission Vice Chair Brown moved to raise the cost share amount to \$25,000 per facility with a maximum of \$75,000 per landowner retroactive to the September 15, 2005 Commission authorization of Cost Share. Commissioner Colvin seconded.

A friendly amendment revised the maximum per landowner to \$25,000 per facility with a maximum of \$50,000 per landowner. Motion passed.

A discussion followed. The Commission staff will research the federal Concentrated Animal Feeding Operations (CAFO) rules and use as guidance in defining 'facility'.

DRAFT CAFO NPDES and State Waste Discharge General Permit

Commissioner Bahrych provided a copy of the public comment letter from the environmental community regarding the DRAFT CAFO NPDES and State Waste Discharge General Permit report. The public comment period ends December 5, 2005.

It was suggested that the Commission and WACD provide comments to the draft CAFO NPDES and State Waste Discharge General Permit report as well.

Commission Vice Chair Brown moved to provide public comment to the Department of Ecology on the Draft CAFO NPDES and State Waste Discharge General Permit. Commissioner Bahrych seconded. Commissioner Selby abstained. Motion passed.

COMMISSION OPERATIONS

25 by 25 Ag Role

At the September 2005 Meeting, a request was brought forward by Mr. Clark from Read Smith asking the Commission to consider sponsoring and endorsing the 25 by 25 Ag Energy Work Group vision in ensuring U.S. energy independence. In order to give the members the opportunity to read the endorsement request it would be brought back to the December Meeting.

Commissioner Bahrych moved to support and endorse 25 by 25, Agriculture's Role in Ensuring U.S. Energy Independence. Commissioner Selby seconded. Motion passed.

PUBLIC COMMENTS

No comments were given.

CHAIR COMMENTS

Chair Peters reiterated the positive feedback he received at the WACD Annual Meeting regarding the Commission and staff's work with the districts. He also heard positive comments on the assessment session and thanked Stu Trefry and Tom Salzer for their work in preparing the session.

The WACD Resolutions that passed will be brought forward at the January 2006 Meeting.

NEXT COMMISSION MEETING

Regular Commission Meeting:

January 18, 2006 – Work Session followed by a Field Tour coordinated by the Thurston Conservation District and no host Interaction Dinner.

1 **January 19, 2006** - Regular Commission Meeting
2 Washington State Conservation Commission
3 300 Desmond Drive
4 Lacey, Washington

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6 **ADJOURNMENT**

7 Chair Peters adjourned the meeting at 4:47 p.m.

Resolution No.05-02
Washington State Conservation Commission

25 by 25 Support

Whereas, current and future risks to U.S. energy security are mounting; domestic and global energy demands are growing exponentially; environmental and health concerns and risks associated with fossil based fuel sources are escalating; solar, wind and bio energy and biofuels can be captured and/or produced on the land mass managed by U.S. agriculture, and technology and production capabilities allow America's farmers and ranchers to play a major role in insuring a fully sustainable U.S. energy system;

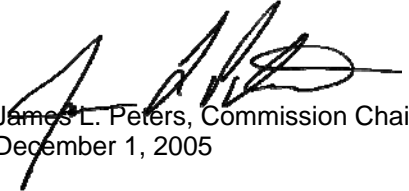
NOW THEREFORE, the Washington State Conservation Commission endorses the vision of 25 X '25 and commits to work collaboratively with leaders of the nation's agricultural community to further explore and define the overarching contribution which the agricultural sector can make as a producer of energy.

Vision


The Washington State Conservation Commission values healthy, diverse landscapes; voluntary, incentive-based activities and solutions on working lands that reflect local and community priorities; partnerships at local, state, federal and Tribal levels; natural resource based industries and their economic contribution; good policy and governance; as well as open communications.

The Washington State Conservation Commission is committed to establishing partnerships to assist in addressing economic vitality and natural resource issues.

Commissioner Bahrych moved to support and endorse 25 by 25, Agriculture's Role in Ensuring U.S. Energy Independence. Commissioner Selby seconded.
Motion passed.



James L. Peters, Commission Chair
December 1, 2005



Mark A. Clark, Executive Director
December 1, 2005